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By: [Signature]

Printed name: Hillman

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Hillman et al.**

Title: **PHOSPHORYLATION EFFECTORS**

Serial No.: 09/744,794

Filing Date: To Be Assigned

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

Box PCT
Commissioner for Patents
Washington, D.C. 20231

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. § 371**

Sir:

In response to the "Notice to File Missing Requirements" mailed by the United States Patent and Trademark Office on **July 30, 2001**, Applicants submit the following documents to complete the filing for the above-identified patent application:

1. Return postcard;
2. Copy of Notification of Missing Requirements Under 35 U.S.C. § 371 dated July 30, 2001 (1 pg.);
3. **Executed** Declaration and Power of Attorney for United States Patent Application (8 pp.);
4. Request for Transfer (1 pg.); and
5. Copy of Notification to Comply with Requirements for Patent Applications

Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated **July 30, 2001**

(1 pg.)

Please charge the following fees to **Deposit Account No. 09-0108**:

Basic surcharge fee for filing the declaration under 37 CFR 1.492(e) \$ 130.00

Total fees charged to Deposit Account No. 09-0108: \$ 130.00

If the Patent Office determines that additional fees are due or that an excess fee has been paid, the Patent Office is authorized to debit or credit (respectively) **Deposit Account No. 09-0108**.

If there are any questions regarding the above, the Examiner is invited to call the undersigned at 650-855-0555.

This response is enclosed in **duplicate**.

Respectfully submitted,
INCYTE GENOMICS, INC.



Richard C. Ekstrom

Reg. No. 37,027

Direct Dial Telephone: (650) 845-4639

Date: 01 October 2001

3160 Porter Drive
Palo Alto, CA 94304
Tel: 650-855-0555
Fax: 650-849-8886

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope
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Washington, D.C. 20231 on 10/1/2001

By: [Signature]

Printed name: Richard C. Ekstrom

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Hillman et al.**

Title: **PHOSPHORYLATION EFFECTORS**

Serial No.: **09/744,794**

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Washington, D.C. 20231

REQUEST TO TRANSFER

Sir:

This paper is responsive to the Notification of a Defective Response (copy attached) which was mailed on **July 30, 2001**.

With regard to the requirement of 37 CFR 1.821(e) which requires that a copy of the Sequence Listing in computer readable form (CRF) be submitted, Applicants state that the paper copy of the Sequence Listing for the instant application is identical with the computer readable form filed with PCT Application No. **PCT/US99/17132** filed **July 28, 1999** in the US/RO to which priority is claimed. In accordance with 37 C.F.R. §1.821(e), please use the computer readable form filed with PCT Application No. **PCT/US99/17132** as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant divisional application.

Applicants believe that no fee is due with this communication. However, if the USPTO determines that a fee is due, the Commissioner is hereby authorized to charge Deposit Account No. **09-0108**. **This form is enclosed in duplicate.**

Respectfully submitted,

INCYTE GENOMICS, INC.

Date: 01 October 2001

[Signature]

Richard C. Ekstrom

Reg. No. 37,027

Direct Dial Telephone: (650) 845-4639

3160 Porter Drive
Palo Alto, California, 94304
Tel. No. 650-855-0555 Fax. No. 650-849-8886

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Parent SN PCT/US99/17132
does not have a valid
CRF.

09/744,794



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20591
www.uspto.gov

U.S. APPLICATION NO.

09/744794

FIRST NAMED APPLICANT

HILLMAN

ATTY. DOCKET NO.

PF-0565 USN

INTERNATIONAL APPLICATION NO.

PCT/US99/17132

INCYTE GENOMICS
3160 POTER DRIVE
PALO ALTO, CA 94304

FILING DATE

28 JUL 99

PRIORITY DATE

28 JUL 98

DATE MAILED 30 JUL 2001

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- ☒ The application fails to comply with the requirements of 37 CFR 1.821-1.825.
This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- ☒ A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☒ The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d). The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
Other: _____

APPLICANT MUST PROVIDE:

- ☒ An initial or substitute computer readable form (CRF) of the "Sequence Listing."
An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☒ A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE
CALL:

- (703) 308-4216, for Rules interpretation.
- (703) 308-4212, for CRF submission help.
- (703) 287-0200, for PatentIn software help.


Charita A. Burt, Paralegal

Telephone: 703-305-3734



Incyte Pharmaceuticals, Inc.
Patent Department
Received

AUG - 2 2000

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box 607
United States Patent and Trademark Office
Washington, D.C. 20543
www.uspto.gov

U.S. APPLICATION NO.

09/744794

FIRST NAMED APPLICANT

HILLMAN

J

ATTY. Docket No.

PF-0565 USN

INTERNATIONAL APPLICATION NO.

PCT/JS99/17132

INCYTE GENOMICS
3160 POTER DRIVE
PALO ALTO, CA 94304

1A FILING DATE

28 JUL 99

PRIORITY DATE

28 JUL 98

DATE MAILED 30 JUL 2000

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- | | |
|---|---|
| <input checked="" type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Indication of Small Entity Status. |
| <input checked="" type="checkbox"/> Copy of the international application. | <input type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventor(s). | <input type="checkbox"/> Translation of Article 19 amendments into English. |
| <input type="checkbox"/> Copy of Article 19 amendments. | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Priority Document. | |
| <input type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. | |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. | |

Please forward a copy.

2. Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- | | |
|---|---|
| <input type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Copy of the international application. |
|---|---|

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- | | |
|--|--|
| <input type="checkbox"/> a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date. | <input type="checkbox"/> The current translation is defective for the reasons indicated on the attached Notice of Defective Translation. |
| <input type="checkbox"/> b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)). | |
| <input checked="" type="checkbox"/> c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date. | <input type="checkbox"/> The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917. |
| <input checked="" type="checkbox"/> d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)). | |

4. Additional claim fees of \$_____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☒ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

☒ PCT/DO/EO/920

Charita A. Burt, Paralegal

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703-805-3734